

Judge Martinez

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ONE (1) TOSHIBA SATELLITE LAPTOP  
COMPUTER, SERIAL NUMBER  
74374707K, AND ANY AND ALL  
VISUAL IMAGES OF MINOR  
CHILDREN ENGAGED IN SEXUALLY  
EXPLICIT CONDUCT,

Defendants.

NO. C08-0881RSM

DEFAULT JUDGMENT OF  
FORFEITURE

Plaintiff, United States of America, filed its Verified Complaint for Forfeiture of the one (1) Toshiba satellite laptop computer, serial number 74374707K, and any and all visual images of minor children engaged in sexually explicit conduct, brought pursuant to Title 18, United States Code, Section 2254 for violations of Title 18, United States Code, Sections 2252(a)(2) and 2252(a)(4)(B).

Notice of the forfeiture action was published in the Daily Journal of Commerce on June 23, June 30, and July 7, 2008. All interested persons were advised to file their claims pursuant to Supplemental Rule G(5) of the Federal Rules of Civil Procedure with the Clerk of the Court within thirty (30) days after the date of the publication and to serve their Answers to the Complaint within twenty (20) days after the filing of a claim.

In addition, Plaintiff has served the Complaint, Notice of this action, and Warrant of Arrest on Dallas Carleton, Susan Carleton and all identified potential claimants to the

1 defendant one (1) Toshiba satellite laptop computer, serial number 74374707K, and any  
2 and all visual images of minor children engaged in sexually explicit conduct.

3 On July 8, 2008, the United States perfected personal service of the Complaint,  
4 Notice of this action and Warrant of arrest on both Susan Carleton and Dallas Carleton  
5 (Docket No. 4 and 5 respectively). Neither Susan Carleton nor Dallas Carleton has not  
6 filed a claim or answer to the complaint.

7 On October 10, 2008, on application of the United States, the Clerk of the Court  
8 entered an Order of Default as to the defendant one (1) Toshiba satellite laptop computer,  
9 serial number 74374707K, and any and all visual images of minor children engaged in  
10 sexually explicit conduct against Dallas Carleton, Susan Carleton, and any unknown  
11 persons who failed to file a claim.

12 More than thirty-five (35) days have elapsed since all possible claimants were  
13 served with the Complaint for Forfeiture and related documents. In addition, more than  
14 thirty (30) days have elapsed since the date notice of this action was published.

15 No other parties have filed claims and the time allowed for filing of such claims  
16 has expired.

17 Now, therefore, on motion of the Plaintiff, the United States of America, for a  
18 Default Judgment of Forfeiture, it is hereby

19 ORDERED, ADJUDGED and DECREED as follows:

20 1. This Court has jurisdiction over this action under Title 28, United States  
21 Code, Sections 1345 and 1355 and venue pursuant to Title 28, United States Code,  
22 Section 1395, and Title 18, United States Code, Section 2254(j).

23 2. The defendant one (1) Toshiba satellite laptop computer, serial number  
24 74374707K, and any and all visual images of minor children engaged in sexually explicit  
25 conduct are hereby forfeited to the United States of America, and no right, title or interest  
26 in the above-described defendant property shall exist in any other party.

27 3. The United States Marshals Service shall dispose of the above-described  
28 assorted electronic equipment in accordance with law.

1           4.       The Clerk of the Court shall deliver three (3) "raised seal," certified copies  
2 of the Default Judgment of Forfeiture to the United States Marshals Service in Seattle,  
3 Washington.

4           DATED this 29<sup>th</sup> day of January, 2009.

5  
6 

7 RICARDO S. MARTINEZ  
8 UNITED STATES DISTRICT JUDGE

9 Presented by:

10  
11 s/ Darwin P. Roberts  
12 DARWIN P. ROBERTS, WSBA #32539  
13 Assistant United States Attorney  
14 United States Attorney's Office  
15 700 Stewart Street, Suite 5220  
16 Seattle, Washington 98101-1271  
17 Phone: 206-553-7970  
18 Fax: 206-553-6934  
19 E-mail: [darwin.roberts@usdoj.gov](mailto:darwin.roberts@usdoj.gov)  
20  
21  
22  
23  
24  
25  
26  
27  
28